

1 BINGHAM McCUTCHEN LLP
Jonathan A. Loeb, SBN 162758
2 jon.loeb@bingham.com
3 The Water Garden
4 Fourth Floor, North Tower
1620 26th Street
5 Santa Monica, California 90404-4060
Telephone: (310) 907-1000

6 Attorneys for Defendant
7 BOARD OF ADMINISTRATION OF THE
WATER AND POWER EMPLOYEES'
8 RETIREMENT PLAN

9 UNITED STATES DISTRICT COURT
10 CENTRAL DISTRICT OF CALIFORNIA
11

12 WILLIAM A. NIESE, et al.;
13
14 Plaintiff,
15 v.
16 FIRST REPUBLIC BANK, et al.,
17 Defendants

NO. CV 11 07577 PSG-PLA

DEFENDANT BOARD OF
ADMINISTRATION OF THE
WATER AND POWER
EMPLOYEES' RETIREMENT
PLAN'S DISCLOSURE
STATEMENT

(FRCP 7.1; L.R. 7.1-1)

Judge: Hon. Philip S. Gutierrez
Courtroom: 880 - Roybal

18
19
20
21
22
23
24
25
26
27
28
A/74688664.1/4012492-0000353313

DEFENDANT'S DISCLOSURE STATEMENT

Defendant Board of Administration of the Water and Power Employees' Retirement Plan ("Board of Administration") -- incorrectly named in this action as the "Water and Power Employees' Ret.," and as the "Los Angeles Dep. of Water and Power Employee RET-T Rowe Price LG VAL-Disability & Death Benefit Insurance Plan" -- hereby makes the following disclosures:

Pursuant to Rule 7.1 of the Federal Rules of Civil Procedure, the Board of Administration discloses that no public company owns more than 10% of the Board of Administration's stock.

Pursuant to Local Rule 7.1-1, the undersigned counsel of record for the Board of Administration certifies that, other than the Board of Administration, the Board of Administration knows of no other person, association of persons, firm, partnership, corporation or insurance carrier that may have a pecuniary interest in the outcome of this case. These representations are made to enable the Court to evaluate possible disqualification or recusal.

DATED: January 10, 2012

Bingham McCutchen LLP

By: /s/ Jonathan A. Loeb

Jonathan A. Loeb

Attorneys for Defendant

BOARD OF ADMINISTRATION OF
THE WATER AND POWER
EMPLOYEES' RETIREMENT PLAN

PROOF OF SERVICE

I am over eighteen years of age, not a party in this action, and employed in Los Angeles County, California at The Water Garden, Fourth Floor, North Tower, 1620 26th Street, Santa Monica, California 90404-4060. I am readily familiar with the practice of this office for collection and processing of correspondence for mail/fax/hand delivery/next business day FedEx delivery, and they are deposited that same day in the ordinary course of business.

On January 10, 2012, I served the attached:

**DEFENDANT BOARD OF ADMINISTRATION OF THE
WATER AND POWER EMPLOYEES' RETIREMENT PLAN'S
DISCLOSURE STATEMENT (FRCP 7.1; L.R. 7.1-1)**

- ☒ (BY COURT'S NEF) by causing a true and correct copy of the above document(s) to be electronically filed and a Notice of Electronic Filing automatically generated by the court's CM/ECF system and sent by e-mail to attorneys in the case who are registered as CM/ECF users and have consented to electronic service.
- ☐ (VIA EMAIL) by transmitting a true and correct copy via email the document(s) listed above on this date before 6:00 p.m. PST to the person(s) at the email address(es) set forth below.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that this declaration was executed on January 10, 2012, at Santa Monica, California.

/s/ Cheryle Appling
Cheryle Appling